

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TIMOTHY DAVID PARR,
JOHN MICHAELS,
Plaintiffs,

v.

FRANK COLANTONIO, *et al.*,
Defendants.

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CIVIL ACTION NO. 19-CV-1930

ORDER

AND NOW, this 20th day of June, 2019, upon consideration of Plaintiffs Timothy David Parr's motion to proceed *in forma pauperis* (ECF No. 1) and Parr's and Plaintiff John Michaels' *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Parr's Motion for Leave to Proceed *In Forma Pauperis* is **GRANTED**.
2. Parr's Complaint is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim against Defendants Ernie M. Gustafon and Gail E. Gustafson.
3. Parr's Complaint is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) against Defendant Frank Colantonio, and with leave to pursue the claims in state court.
4. Michaels's claims are **DISMISSED without prejudice** for failure to prosecute.
5. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:



MITCHELL S. GOLDBERG, J.